(c) and (d) The UPSC are at present considering the recommendations of the Committee. Thereafter the Commission will forward its recommendations on the Report to the Government for consideration.

Departmental Inquiry

4618. SHRI GAYA SINGH: Will the PRIME MINISTER be pleased to state:

(a) whether departmental inquiry can be initiated even when that matter is under the consideration of civil/criminal court;

(b) if so, the details of the relevant provisions; and

(c) if not, the fate of such a departmental inquiry?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI VASUNDHARA RAJE): (a) to (c) It has been held by the Supreme Court in the case of Capt. M. Paul Anthony Vs. Bharat Gold Mines Limited & Another, (JT 1999(2) SC) 456 that departmental proceedings and proceedings in a.criminal case can proceed simultaneously and there, is no bar in their being conducted simultaneously, though separately.

Filling up of the post vacated by suspended Employee

4619. SHRI GAYA SINGH: Will the PRIME MINISTER be pleased to state:

(a) whether the post on which an employee placed under suspension can be filled up by transfer/promotion during the ongoing suspension;

(b) if so, the details of the relevant provisions; and

(c) if not, the steps proposed for stopping such transfer/ promotion?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI VASUNDHARA RAJE): (a) to (c) As per the instructions contained